HIENER.1CPC1CP **PATENT**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

plicant :

Bogdan C. Maglich

Appl. No.:

09/883,851

Filed

June 18, 2001

For

METHOD AND APPARATUS FOR

NEUTRON MICROSCOPY WITH

STOICHIOMETRIC IMAGING

Examiner:

Unknown

Group Art Unit 2878

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, PO Box 2327, Arlington, VA 22202, on

Bruce S. Itchkawitz Reg. No.

PETITION UNDER 37 C.F.R. § 1.183

United States Patent and Trademark Office P.O. Box 2327 Arlington, VA 22202

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Dear Sir:

Applicant herein requests that the surcharge required under 37 C.F.R. § 1.78(a)(3)(ii) be waived with regard to the "Preliminary Amendment and Petition to Accept an Unintentionally Delayed Claim Pursuant to 37 C.F.R. § 1.78(a)" filed herewith in the aboveidentified application.

This application claims priority to U.S. Provisional Patent Application No. 60/213,373 filed June 23, 2000 and is a continuation-in-part of U.S. Patent Application No. 09/788,736 filed February 20, 2001, which is a continuation from U.S. Patent Application No. 09/265,043 filed March 9, 1999. Since this application claims the benefit of a filing date prior to November 29, 2000, the date 37 C.F.R. § 1.78(a)(2) went into effect, Applicant does not believe the statutory fee is applicable. Furthermore, Applicant does not believe the statutory fee is applicable because the as-filed patent application did include the priority claim, except for the inadvertently omitted phrase "is a continuation-in-part from, and."

Appl. No.

: 83,851

June 18, 2001

A petition fee of \$130.00 is enclosed herewith. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: 10/29/02

Bruce S. Itchkawitz

Registration No. 47,677

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